

Remarks

Claims 27-60 were pending. Claims 27-60 were subject to a seven (7) way Restriction Requirement.

Claims 27-60 have been cancelled and replaced with new claims 61-68 to more clearly recite the present invention. Claims 61-68 are directed to substantially the same subject matter as former claims 27-60. Support for this amendment is apparent. Thus, no new matter is added.

Election/Restriction

Applicants hereby elect to prosecute Group I (former claims 27-39 and 53-54) drawn to a polypeptide and method of use as a vaccine. This election is made without traverse. While the election of Group I is without traverse, Applicants reserve the right to traverse restriction requirements between the other asserted claim groups. Applicants provisionally elect SEQ ID NO:2, but will seek to keep the highly related sequences together.

Closing Remarks

Entry of the Response and Amendment and allowance of the pending claims are respectfully requested.

Respectfully submitted,



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Claims following entry of amendment mailed July 17, 2002

61. An isolated polypeptide comprising a member selected from the group consisting of
- (a) an amino acid sequence matching SEQ ID NO:2 or SEQ ID NO:4;
 - (b) an immunogenic polypeptide comprising a fragment sequence of at least 15 amino acids that matches an aligned contiguous segment of SEQ ID NO:2 or SEQ ID NO:4;

wherein the isolated polypeptide, when administered to a subject in a suitable composition which can include an adjuvant, or a suitable carrier coupled to the polypeptide, induces an antibody or T-cell immune response to a polypeptide having the sequence of SEQ ID NO:2 or SEQ ID NO:4;

62. The isolated polypeptide of claim 61, wherein the polypeptide is according to (a).
63. The isolated polypeptide of claim 61, wherein the polypeptide is according to (b).
64. The isolated polypeptide of claim 61, wherein the immunogenic fragment of (b) comprises at least 20 amino acids.
65. The isolated polypeptide of claim 61, wherein the isolated polypeptide consists of SEQ ID NO:2 or SEQ ID NO:4.
66. A fusion protein comprising the isolated polypeptide of Claim 61.
67. An immogenic composition comprising the polypeptide of Claim 61 and a pharmaceutically acceptable carrier.
68. The immunogenic composition of Claim 67, wherein the vaccine comprises at least one other *Moraxella catarrhalis* antigen.